IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 13476 of 2004(D)

PETITIONER:

K.T.JOSEPH, MANAGING DIRECTOR,
NORMANDY BREWERIES & DISTILLERIES
PVT.LTD., CHEEMANI (VIA) CHERUVATHUR,
KASARGOD DISTRICT,
KERALA

BY ADV. SRI.P.S.DIVAKARAN
SMT.V.P.SEEMANDINI
SMT.VIJU.P.VIJAYAN
SRI.T.R.RAJESH

RESPONDENTS:
----

1. STATE OF KERALA, REPRESENTED
BY CHIEF SECRETARY TO GOVERNMENT
SECRETARIATE, TRIVANDRUM.

2. SECRETARY TO GOVERNMENT,
TAXES DEPARTMENT,
TRIVANDRUM.

3. THE COMMISSIONER OF EXCISE,
EXCISE COMMISSIONERATE,
TRIVANDRUM.

BY GOVERNMENT PLEADER SRI. MANOJKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 13476/2004 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE GO RT NO. 394/97/TD DT. 8/8/97.

EXT.P2. COPY OF THE LETTER DT. 1/3/01 BY THE PETITIONER BEFORE THE R3.

EXT.P3. COPY OF THE LETTER DT. 15/3/01 TO THE R3.

EXT.P4. COPY OF THE LETTER DT. 8/4/02 TO R3.

EXT.P5. COPY OF THE POSTAL ACKNOWLEDGEMENT RECEIVED FROM THE R3.

EXT.P6. COPY OF THE LETTER DT. 9/4/02 TO THE R3.

EXT.P7. COPY OF THE POSTAL ACKNOWLEDGEMENT BY THE R3.

EXT.P8. COPY OF THE REPRESENTATION DT. 9/4/02 BY THE PETITIONER BEFORE THE MINISTER FOR EXCISE AND FINANCE.

EXT.P9. COPY OF THE POSTAL ACKNOWLEDGEMENT DULY SIGNED BY THE ADRESSEE.

EXT.P10. COPY OF THE REPRESENTATION DT. 15/6/02 BY THE PETITIONER BEFORE THE R3.

EXT.P11. COPY OF THE REPRESENTATIOND DT. 16/6/02 BY THE PETITIONER BEFORE THE R3.

EXT.P12. COPY OF THE REPRESENTATION DATED 23/11/02 BY THE PETITIONER BEFORE THE R3.

EXT.P13. COPY OF THE REPRESENTATION DT. 29/12/03 BY THE PETITIONER BEFORE THE R3.

EXT.P14. COPY OF THE REPRESENTATION DT. 30/12/03 BY THE PETITIONER BEFORE THE R3.

EXT.P15. COPY OF THE REPRESENTATION DT. 26/2/2004 BY THE PETITIONER BEFORE THE R3.

EXT.P16. COPY OF THE REPRESENTATION DT. 26/2/2004 BY THE PETITIONER BEFORE THE MINISTER FOR EXCISE.

EXT.P17. COPY OF THE ORDER DIRECTING TO PAY A TOTAL AMOUNT OFG RS. 1 CRORE AND 32 LAKHS BY THE INSPECTING ASST. COMMISSIONER COMMERCIAL TAXES, KASARAGODE.

EXT.P18. COPY OF THE RECEIPT FOR HAVING PAID THE AMOUNT DULY SIGNED BY THE ASSISTANT. COMMISSIONER, COMMERCIAL TAXES, KASARAGOD.

EXT.P19. COPY OF THE COMMUNICATION DT. 10/3/04 BY THE R3.

EXT.P20. COPY OF THE RECEIPT DT. 20/3/2001 OF THE DEMAND DRAFT EVIDENCING THE DEPOSIT OF RS. 6 LAKHS TOWARDS EMD TO THE KSBC TO PARTICIPATE IN THE TENDER.

EXT.P20A. COPY OF THE RECEIPT OF THE DEMAND DRAFT EVIDENCING THE DEPOSIT OF RS. 10 LAKHS FOR THE YEAR 2002.

EXT.P20B. COPY OF THE RECEIPT OF THE DEMAND DRAFT EVIDENCING THE DEPOSIT OF RS. 10 LAKHS FOR THE YEAR 2003.

EXT.P20C. COPY OF THE RECEIPT OF THE DEMAND DRAFT EVIDEICING THE DEPOSIT OF RS. 10 LAKHS FOR THE YEAR 2004.

True copy

tga

KURIAN JOSEPH , J

==========

W.P.(C) NO. 13476 OF 2004

==========

Dated this the 11th day of July, 2007.

JUDGMENT

The petitioner approached this Court aggrieved by Ext.P19 in the matter of payment of abkari dues. There is already an interim order dated 23.04.2004. The writ petition is disposed of in terms of the said order making it clear that in case the petitioner has still any grievance left, it will be open to him to approach the 1st respondent.

KURIAN JOSEPH, JUDGE.

rv